

AMENDED IN ASSEMBLY JUNE 30, 2009

AMENDED IN SENATE MAY 28, 2009

AMENDED IN SENATE APRIL 2, 2009

SENATE BILL

No. 769

Introduced by Senator Alquist

February 27, 2009

An act to add ~~Article 7 (commencing with Section 101321) to Chapter 3 of Part 3 of Division 101 of Section 101318~~ to the Health and Safety Code, relating to federal funding.

LEGISLATIVE COUNSEL'S DIGEST

SB 769, as amended, Alquist. Federal funding: ~~economic stimulus: local health administration: supplemental appropriations: pandemic flu.~~

~~Existing law provides for the allocation of state aid to the administrative bodies of qualifying local health departments according to a specified formula for prescribed purposes, including communicable disease control activities and community and public health surveillance activities.~~

Existing law establishes procedures and requirements to govern the allocation to, and expenditure by, local health jurisdictions of federal funding received for the prevention of, and response to, bioterrorist attacks and other public health emergencies. Existing law provides that these procedures apply only when local health jurisdictions are designated by a federal or state agency to manage the funds for public health preparedness and response to bioterrorist attacks and other public health emergencies, pursuant to a specified federally approved

plan. Existing law repeals these provisions as of January 1, 2011, as specified.

This bill would, commencing with the 2009–10 fiscal year, provide that federal funding received pursuant to the ~~American Recovery and Reinvestment Act of 2009 for chronic disease prevention and wellness~~ *federal 2009 Supplemental Appropriations Act for pandemic flu for purposes of state and local public health and emergency response infrastructure* would be subject to appropriation by the Legislature, ~~as specified for allocation by the State Department of Public Health pursuant to the specified federally approved plan.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds and declares all of the*
2 *following:*

3 (a) *The Legislature intends to ensure that federal funds granted*
4 *for the purpose of emergency preparedness for responding to a*
5 *pandemic flu outbreak are distributed appropriately to local public*
6 *health jurisdictions.*

7 (b) *The Legislature acknowledges that, as a result of the recent*
8 *economic downturn, California's local health departments have*
9 *lost tens of millions of dollars in funding and hundreds of*
10 *employment positions.*

11 (c) *The public health infrastructure and workforce at the local*
12 *level are the first line of defense against communicable disease.*
13 *Without proper personnel in place, a response to the H1N1 flu*
14 *virus or any other public health threat is significantly weakened.*

15 SEC. 2. *Section 101318 is added to the Health and Safety Code,*
16 *to read:*

17 101318. (a) *Commencing with the 2009–10 fiscal year, federal*
18 *funding received pursuant to the 2009 Supplemental*
19 *Appropriations Act (H.R. 2346) for pandemic flu for purposes of*
20 *state and local public health and emergency response*
21 *infrastructure, including, but not limited to, epidemiology,*
22 *communicable disease response, workforce, laboratory capacity,*
23 *public communications, and community mitigation guidance and*
24 *planning, shall be subject to appropriation by the Legislature in*

1 *the annual Budget Act or other statute for allocation by the*
2 *department in accordance with this article.*

3 *(b) This article shall govern instances when federal funding is*
4 *allocated and expended for disease control and prevention*
5 *activities by local health jurisdictions.*

6 *(c) The funds appropriated pursuant to this section shall be*
7 *allocated pursuant to the federally approved collaborative*
8 *state-local plan. The proportion of funds allocated to local health*
9 *jurisdictions shall be the same as the proportion stipulated in the*
10 *2008–09 federally approved collaborative state-local plan.*

11 **SECTION 1.** ~~Article 7 (commencing with Section 101321) is~~
12 ~~added to Chapter 3 of Part 3 of Division 101 of the Health and~~
13 ~~Safety Code, to read:~~

14
15 ~~Article 7. Federal Economic Stimulus Funding for Chronic~~
16 ~~Disease Prevention and Wellness~~
17

18 ~~101321. (a) Commencing with the 2009–10 fiscal year, federal~~
19 ~~funding received pursuant to the American Recovery and~~
20 ~~Reinvestment Act of 2009 (Public Law 111-5), for purposes of~~
21 ~~chronic disease prevention and wellness, shall be subject to~~
22 ~~appropriation by the Legislature in the annual Budget Act or other~~
23 ~~statute for allocation by the department in accordance with this~~
24 ~~article.~~

25 ~~(b) This article shall govern instances when federal funding is~~
26 ~~allocated and expended for disease control and prevention activities~~
27 ~~by local health jurisdictions.~~